

ANALYSIS

This interim ordinance temporarily regulates the development of all commercially-zoned parcels in the unincorporated community of Azusa having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue by requiring a conditional use permit prior to such development.

This ordinance is an urgency measure and requires a four-fifths vote by the Board of Supervisors for adoption.

This ordinance expires forty-five (45) days after its adoption, unless extended pursuant to section 65858 of the Government Code.

RAYMOND G. FORTNER, JR.
County Counsel

By


ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

EML:di

1/15/08 (requested)

1/15/08 (revised)

ORDINANCE NO. 2008-0012U

An interim ordinance temporarily regulating the use of all commercially-zoned parcels in the unincorporated Azusa area having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue, and declaring the urgency thereof.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Interim prohibition.

No buildings or building additions or other development shall be permitted on property that: (1) is located within the area described in Section 6, below; and (2) is zoned for commercial use as defined in Title 22 of the Los Angeles County Code, unless a conditional use permit is first issued in accordance with the procedures set forth in Part 1 of Chapter 22.56 of said Title 22.

SECTION 2. Authority.

Section 65858 of the Government Code provides that any urgency measure in the form of an initial interim ordinance may be adopted without prior public notice by a four-fifths vote of the board of supervisors, which shall be effective for only forty-five (45) days following its adoption. Section 65858 of the Government Code further provides that such an urgency measure may be extended, following compliance with that section, for up to an additional twenty-two (22) months, fifteen (15) days beyond the original forty-five (45) day period.

SECTION 3. Definitions and penalties.

The definitions and penalties for land use violations that are prescribed in Title 22 of the Los Angeles County Code shall apply to the interpretation and violations of the provisions of this interim ordinance.

SECTION 4. Zoning study to be initiated, determination of immediate threat.

The Los Angeles County Regional Planning Department ("Planning Department") intends to conduct a comprehensive zoning study to review all commercially-zoned properties in the affected Azusa area to consider a possible permanent zoning ordinance amendment. The Planning Department plans to study development and use standards to, among other things, assess compatibility of development along Arrow Highway with the closely linked neighboring communities to promote a harmonious mix of uses, development standards, and architectural styles in accordance with goals and standards for good planning. Allowing commercial development in the affected area to proceed without the oversight provided by the review process for a conditional use permit may negatively impact and detract from the physical appearance, conditions, and character of the area. Unless this interim ordinance takes immediate effect as provided for herein, an irreversible incompatibility of land uses might reasonably occur as a result of the approval of additional subdivisions, variances, building permits, site plans, or other applicable entitlements, all to the detriment of the public health, safety, and welfare. Accordingly, the board of supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of

additional subdivisions, variances, building permits, site plans, or any other applicable entitlements for use would result in that threat to the public health, safety, or welfare absent implementation of the restrictions contained in this ordinance. If this interim ordinance does not take immediate effect, uses that may be in conflict with any permanent amendment to the zoning code for the affected Azusa area that may be adopted as a result of the Planning Department study may be established, and these uses may continue after any permanent rezoning of the properties described in Section 6.

SECTION 5. Severability.

If any provision of this interim ordinance or the application thereof to any person, property, or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provisions or application, and, to this end, the provisions of the interim ordinance are hereby declared to be severable.

SECTION 6. Area of applicability.

This interim ordinance applies to parcels in the unincorporated Azusa area having any frontage on, or lying totally or partially within 350 feet of, that portion of Arrow Highway located easterly of Vincent Avenue and westerly of Cerritos Avenue.

SECTION 7. Urgent need.

This interim ordinance is urgently needed for the immediate preservation of the public health, safety, and welfare, and it shall take effect immediately upon adoption,

and it shall be of no further force and effect forty-five (45) days following the date of its adoption unless extended in accordance with the provisions set forth in section 65858 of the Government Code.

[AZUSAURGORDELCC]

SECTION 8. This ordinance shall be published in The Metropolitan News a newspaper printed and published in the County of Los Angeles.



Yvonne B. Burke
Chair

ATTEST:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of April 1, 2008 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

Ayes

Supervisors Zev Yaroslavsky
Don Knabe
Michael D. Antonovich
Yvonne B. Burke

Noes

Supervisors None

Effective Date: April 1, 2008

Operative Date:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By Jo Dami
Deputy



APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By Leela Kapur
Leela Kapur
Chief Deputy County Counsel